



CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED
WITH THE UNITED STATES POSTAL SERVICE WITH SUFFICIENT
POSTAGE AS FIRST-CLASS MAIL WITH SUFFICIENT POSTAGE IN AN
ENVELOPE ADDRESSED TO: ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231, ON NOVEMBER 18, 2003

Stedman Boyd
November 18, 2003
DATE

Applicant : Capiau, et al.
Appl. No. : 09/936,985
Filed : 19 December 2001
Title : VACCINE AGAINST STREPTOCOCCUS PNEUMONIAE

Grp./A.U. : 1645
Examiner : V.L. Ford

Docket No. : B45182

Commissioner for Patents
Mailstop: RCE
P.O. Box 1450
Alexandria, VA 22313-1450

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AMENDMENT AND RESPONSE Under 35 C.F.R. 1.114

This paper is in response to the Office Action dated May 19, 2003. A petition under 37 C.F.R. § 1.136(a) for a three-month extension of time accompanies this response. The period for response, with extensions, is November 19, 2003. Please charge any additional requisite fees relating to this Amendment and Response to Deposit Account No. 19-2570.

Please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 4 of this paper.

RCE/1600

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Application No.: 09/936,985
 Filing Date: December 19, 2001
 First Named Inventor: Capiau, et al.
 Group Art Unit: 1645
 Examiner: V.L. Ford
 Attorney Docket No.: B45182

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
 provides for continued examination of an utility or plant application
 filed on or after June 8, 1995.
 See The American Inventors Protection Act of 1999 (AIPA).

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES
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 COMMISSIONER FOR PATENTS, MAIL STOP: RCE, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.

NAME: Audrey Boyd

DATE: November 18, 2003

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000) 1233 Off. Gaz. Pat. Office 47 (April 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____.
 (Any unentered amendment(s) referred to above will be entered)
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____.
- iii. ☐ Other _____
- b. ☒ **Enclosed**
- i. ☒ Amendment/Reply 6 pages
- ii. ☐ Affidavit(s)/Declaration(s) _____ pages
- iii. ☐ Information Disclosure Statement (IDS) _____ pages
- iv. ☐ Form PTO 1449 _____ pgs. & _____ References
- v. ☒ Return Receipt Postcard (MPEP 503) (specifically itemized)
- vi. ☐ Other _____

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2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103 (c)
 for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(l) required)
- b. ☐ Other _____

3. FEES The RCE fee under 37 C.F.R. § 1.117(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees or credit any overpayments, to

Deposit Account No. 19-2570.

☒ General Authorization to charge any and all fees under 37 CFR 1.16 or 1.17, including petitions for extensions
 of time, relating to this application. (37 CFR 1.136(a)(3))

- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e). \$770.00
- ii. ☒ (3) Month Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) \$950.00
- iii. ☐ Additional Fees

iv. ☒ **Total Fee to be charged to Deposit Account 19-2570** **\$1720.00**

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RESPECTFULLY SUBMITTED,

Signature 
 NAME Jeffrey A. Sutton

Registration No. 34,028

